

APPLICANT(S): YELLIN, Daniel et al.  
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FILED: August 4, 2003  
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#### REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

#### Status of Claims

Claims 1 - 16 remain pending in the application. Claims 5 - 10 have been allowed. Claims 2 and 14 have been objected to. Claims 1, 3, 4, 11 - 13, 15 and 16 have been rejected.

#### Allowable Subject Matter

Applicants note that the Examiner allowed claims 5 - 10 and that claims 2 and 14 contain allowable subject matter.

#### Information Disclosure Statement

The Office action stated that the information disclosure statement filed on August 4, 2003 fails to comply with 37 CFR 1.98 (a) (2), which requires a legible copy of each cited foreign patent or non-patent literature. Applicants respectfully submit that the information disclosure statement filed on August 4, 2003 complies with 37 CFR 1.98 (d) as the documents have been previously submitted to the Patent Office in prior application US Serial No. 09/438,475, which was properly identified in the information disclosure statement and is relied on for an earlier effective filing date under 35 U.S.C. 120 and the information disclosure statement submitted in the earlier application complies with 37 CFR 1.98 (a) - (c).

Accordingly, consideration of the foreign patents and non-patent literatures listed in the information disclosure statement filed on August 4, 2003 is requested.

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## CLAIM REJECTIONS

### 35 U.S.C. § 103 Rejections

Claims 1, 3, 4, 11 - 13, 15 and 16 were rejected under 35 U.S.C. § 103(a), as being unpatentable over Teder et al. (US 5,444,156) in view of Molnar (US 5,887,035).

Applicants respectfully traverse the rejection of claims 1, 3, 4, 11 - 13, 15 and 16 under 35 USC §103(a) as being unpatentable over Teder et al. in view of Molnar, because a prima facie case of obviousness has not been established, as explained below.

Firstly, the office action admits that Teder is not directed to method of generating maximum likelihood estimates of one or more channel taps or an estimator to generate the maximum likelihood estimate. Instead Teder is directed to a system and method for coherently demodulating an uplink signal using information already provided in multirate CDMA systems for an independent purpose as a reference (see col. 1, lines 40 - 44).

Additionally, the office action contends that Teder et al. discloses an estimator circuit that involves using "a priori probabilities of transmitted symbols in one or samples of a received signal".

Applicant respectfully asserts that Teder et al. does not disclose or remotely suggest "a receiver comprising: a channel estimator to generate...from an equation involving ... b) a priori probabilities of transmitted symbols in one or samples of a received signal", as suggested by the office action. At column 3, lines 60 - 64, Teder discloses the following:

The physical channels carrying the data and the control information can be denoted as physical data channel (PDCH) and physical control channel (PCCH), respectively. The spreading factor, symbol rate, or equivalently spreading factor of the PCCH are known a priori to the receiver.

Accordingly, Teder uses a priori statistical information associated with the channel and not "a priori probabilities of transmitted symbols in one or samples of a received signal", as claimed in claims 1, 11, 13 and 16.

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Likewise, Molnar does not teach or suggest and the Office action does not contend that molnar teach or suggest "a priori probabilities of transmitted symbols in one or samples of a received signal", as claimed in claims 1, 11, 13 and 16.

An obviousness rejection requires a teaching or a suggestion by the relied upon prior art of all the elements of a claim (M.P.E.P. §2142).

Without conceding the appropriateness of the combination, Applicants respectfully submit that the combination of Teder and Molnar does not meet the requirements of an obviousness rejection, in that the combination fails to teach or suggest all the elements of the claimed invention.

Applicants assert that neither Teder et al. nor Molnar, alone or in combination, teach or suggest all elements of claims 1, 11, 13 and 16 as they do not teach or suggest at least "a priori probabilities of transmitted symbols in one or samples of a received signal", as claimed in claims 1, 11, 13 and 16.

In view of the above, applicants respectfully submit that claims 1, 11, 13 and 16 are allowable. Claims 3, 4, 12 and 15 depend directly or indirectly from one of claims 1, 11 and 13 and thereby include all the limitations of their parent claim as well as additional distinguishing elements. Therefore, claims 3, 4, 12 and 15 are patentable for at least the reasons discussed above with regard to claim 1, 11, 13 and 16. In view of the above remarks, Applicants respectfully request that the above rejections of claims 1, 3, 4, 11 - 13, 15 and 16 under 35 U.S.C. § 103(a) be withdrawn.

#### **Claim Objections**

In the Office Action, the Examiner objected to claims 2 and 14 as being dependent and indicated that the claims would be allowable if rewritten in independent form. As discussed above claims 1 and 13 are believed to be allowable. Accordingly, Applicants request withdrawal of the objection.

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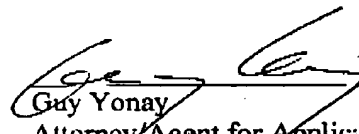
### CONCLUSION

In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,

  
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Dated: December 26, 2006

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